

APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. (COURT USE ONLY)

PAGE

08/09/18

Page 1 of 1

Trial Court of Massachusetts
District Court Department



I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

- ☒ ONLY MISDEMEANOR(S), I request a hearing ☐ WITHOUT NOTICE because of an imminent threat of
☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ WITH NOTICE to accused.
☐ ONE OR MORE FELONIES, I request a hearing ☐ WITHOUT NOTICE ☐ WITH NOTICE to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

PP

Holyoke

14 DL-0136 HO

ARREST STATUS OF ACCUSED

☒ HAS ☐ HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS

15 N SUMMER ST Apt. 3C
HOLYOKE, MA. 01040

BIRTH DATE

SOCIAL SECURITY NUMBER

PCF NO.

MARITAL STATUS

SINGLE

DRIVERS LICENSE NO.

STATE

GENDER

HEIGHT

WEIGHT

EYES

M

503

110

BRO

BIRTH STATE OR COUNTRY

PR

DAY PHONE

HAIR

BLK

RACE

W

COMPLEXION

SCARS/MARKS/TATTOOS

EMPLOYER/SCHOOL

KELLY SCHOOL STUDENT

MOTHER'S MAIDEN NAME (FIRST MI LAST)

JANET HERNENDEZ

FATHER'S NAME (FIRST MI LAST)

FELIX TORRES

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)

THOMAS J LEAHY

COMPLAINANT TYPE

☒ POLICE ☐ CITIZEN ☐ OTHER

PD

HOY

ADDRESS

Holyoke Police Department
138 APPLETON ST
HOLYOKE, MA. 01040

PLACE OF OFFENSE

HOLYOKE, MA

INCIDENT REPORT NO.

14-344-AR

OBTN

THOY201400344

CITATION NO(S).

OFFENSE CODE

272/53/F

DESCRIPTION

DISORDERLY CONDUCT

OFFENSE DATE

02/08/2014

1 VARIABLES (e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)

OFFENSE CODE

268/32B

DESCRIPTION

RESIST ARREST

OFFENSE DATE

02/08/2014

2 VARIABLES

OFFENSE CODE

DESCRIPTION

OFFENSE DATE

3 VARIABLES

REMARKS

SID#

COMPLAINANT'S SIGNATURE

X *[Signature]* #336

DATE FILED

2-9-14

COURT USE ONLY

A HEARING UPON THIS COMPLAINT APPLICATION }
WILL BE HELD AT THE ABOVE COURT ADDRESS ON

DATE OF HEARING

TIME OF HEARING

COURT USE ONLY

DATE

PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)

CLERK/JUDGE

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:

NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:

HEARING CONTINUED TO:

APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:

- ☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED
☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

DATE

COMPLAINT TO ISSUE

COMPLAINT DENIED

CLERK/JUDGE

☒ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S)
NO(S). ☒ 1. ☒ 2. ☐ 3. BASED ON

☒ FACTS SET FORTH IN ATTACHED STATEMENT(S)

☐ TESTIMONY RECORDED: TAPE NO. _____

START NO. _____ END NO. _____

☐ WARRANT ☐ SUMMONS TO ISSUE

ARRAIGNMENT DATE: 2-20-14 *Amr*

☐ NO PROBABLE CAUSE FOUND
☐ REQUEST OF COMPLAINANT

☐ FAILURE TO PROSECUTE

☐ AGREEMENT OF BOTH PARTIES

☐ OTHER: _____

COMMENT

2-10-14

CAS

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

JUVENILE COURT
DEPARTMENT OF THE
TRIAL COURT
CRIMINAL ACTION
NO(S) 14DL0136HO

COMMONWEALTH

v.

[REDACTED]

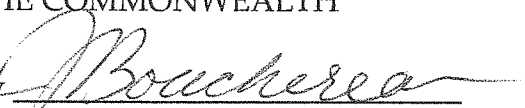
COMMONWEALTH'S NOLLE PROSEQUI

Now comes the Commonwealth through its Assistant District Attorney and states to the Court that the Commonwealth is unwilling to further prosecute the above individual for the offense(s) of: DISORDERLY CONDUCT c272 §53RESIST ARREST c268 §32B

For the following reason, that Defendant has successfully completed the Hampden County District Attorney's Juvenile Diversion Program, therefore, the Commonwealth does not seek to prosecute the juvenile for the above listed matter(s).

Respectfully submitted,
THE COMMONWEALTH

By


Assistant District Attorney

Date: 07/16/2015

Clerk Magistrate's Office
Hampden County Juvenile Court
80 State Street
Springfield, MA 01103

NAME: [REDACTED] DOCKET: 14DL0136H0
CHARGE: 1. DISORDERLY CONDUCT NP
2. RESISTING ARREST NP HOLYOKE PAGE: 5

1/20/15

MOTF - Ref. to Diversion
(unscheduled JT)
C-7-16-15 RPFD (Holyoke)

7-16-15
Filed: NP

D
(DJS)

2/6/13 Re 2135-2146

MOTFA - Review Juvenile
Apte - File And to copy
criminal Desposition

FILED - counsel contacted (Ryer)

Hampden County Juvenile Court
Holyoke Division
121 Elm Street
Holyoke, MA 01040

Name: [REDACTED]	Docket No: 14DLO136140
Charge: 1. Disorderly conduct 2. Dis. Arrest	City: Holyoke (U)

✓ 7-24-14
NOT FA - Def to
Continue trial

NOT FA - Def for
production of evidence

instruct 7-28-14(JTS)

at 10/3/14 JTS

(ESB)

09/19/14

NOT F - For Continuance

C - 9/29/14 MD

def.
9.29.14

NOT FA - Continue Trial
ROSC

C: 1.26.15 JT

9-29-14 (LME)

FILD - Combs Witness List

11/26/14

✓ P140 - Juvenile witness
list -

Hampden County Juvenile Court

Holyoke Division
121 Elm Street
Holyoke, MA 01040

Name: [REDACTED]	DOCKET: 14DL0136HO
Charge: 1. Disorderly conduct 2. Resist arrest	City: HOLYOKE

<u>CBC-</u>
<u>ARR-</u>
<u>PNT-</u>
<u>IND-</u>
<u>LCWF-</u>
<u>A- Shulman</u>
<u>APTE-</u>
<u>PTH-</u>
<u>PTC-</u>

7/10/14
MP / mtp
MOTP - (Def) Preserve
Evidence
(7/28/14 JBSpfld)
(CSB)

07/17/14
Mott - Defendant's mot to preserve
evidence.
Mott - Juveniles Mot. for Judicial summe
Pursuant to MASSR. CRIM.
Commonwealth V. Dwyer 448 Mass
Commonwealth V. Lampson 441 Mass
C- 07/22/14

7-7-14
MOT F. Preserve
evidence; C 7-10-14

7-22-14

C 7-24-14 MD
(CSB)

Hampden County Juvenile Court

Holyoke Division
121 Elm Street
Holyoke, MA 01040

Name [REDACTED]	DOCKET # 14DL0136HO
Charge: 1. DISORDERLY CONDUCT 2. RESIST ARREST	City: HOLYOKE 2

4/24/14
CBE

MOTH - Defendant's bo
Dismiss

MTUA by CSB

Intp - Sponsor

c-5/8/14 ph (decs. on Desm.)

(CSB)

4/25/14

MOTD - Dismiss

(CSB)

5/8/14
CBE

Intp - Sponsor
(discovery issue)

c-7/10/14 ph in Hov

7/28/14 JT

(OJS)

6.18.14

MOTF to Appoint Counsel for Δ
by Ath Mrs Shulman.

c-6.26.14

MOTF for Funds

c-6.26.14

6/26/14

MOTF - Appointment Counsel

MOTF - Funds Investigator

Intp

CSB: (Shms legal fee)

7/10/14 ph CBX

(Mother to be present)

Hampden County Juvenile Court
 Holyoke Division
 121 Elm Street
 Holyoke, MA 01040

Name: [REDACTED]	DOCKET # 14DL0136HO
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Charge: 1. DISORDERLY CONDUCT 2. RESIST ARREST	City: HOLYOKE
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Arraignment: 2/20/14	Co-Def:
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<u>CBC-</u>
<u>ARR-</u>
<u>PNT-</u> MP/FP
<u>IND-</u>
<u>LCWF-</u>
<u>Apvt</u> : Mara Shulman
<u>APTE-</u>
<u>PTH-</u> 3/27/14
<u>PTC-</u>

✓ 2/14/14
 FILED - Notice of appearance by
 Attorney Mara Shulman
 3-10-14
 MOTF: Preserve evidence;
 3-27-14

3/27/14
 MOTF - Defendant's to Dismiss
 MOTF - Preserve Evidence
 CBC
 MTP

4/24/14 (mo (Colony mass))
 & plw 11 AM
 (Dys)

INTP

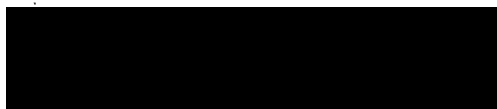
(Dys)

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT

HAMPDEN, ss.

Juvenile Court Department
Docket No. 14DL0136H0

COMMONWEALTH OF MASSACHUSETTS

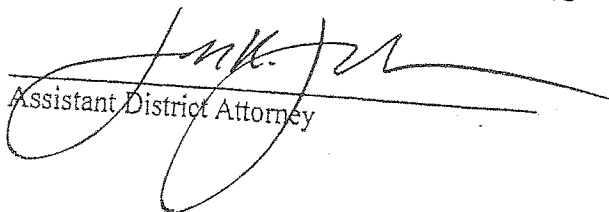


Defendant

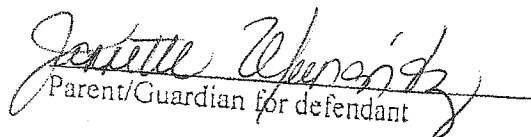
MOTION TO CONTINUE
FOR DEFENDANT TO
ENTER HCDA-JDP

The Commonwealth, through its Assistant District Attorney and defendant request this Honorable Court to continue the above referenced delinquency/criminal matter to 7.16.15, so defendant may have the chance to enter and successfully complete the Hampden County District Attorney's Juvenile Diversion Program (HCDA-JDP).


Respectfully submitted,
COMMONWEALTH OF MASSACHUSETTS


Assistant District Attorney

Name of Juvenile _____


Parent/Guardian for defendant

Dated: 1.15.15

APPEARANCE OF COUNSEL		DOCKET NUMBER <i>14010136HO</i>		Trial Court of Massachusetts Juvenile Court Department			
CASE NAME				DIVISION Hampden County			
<p>To The Clerk-Magistrate:</p> <p>Please enter my appearance as attorney for [REDACTED]</p> <p>_____ in the above numbered court action</p> <p><i>and his mother Jonette Hernandez</i></p> <p><i>Pagan Hernandez</i></p>							
ATTORNEY NAME <i>Hector E. Romero</i>				B.B.O. NO. (Required) <i>555315</i>			
ATTORNEY FIRM OR AGENCY <i>Law Office, Hector E. Romero</i>				TELEPHONE NO. <i>(508) 579-8066</i>			
STREET ADDRESS <i>807 Main St</i>				CELL PHONE NO. <i>(508) 770-1300</i>			
CITY/TOWN <i>Ware</i>		STATE <i>MA</i>		ZIP CODE <i>01061</i>		FAX NO. <i>(508) 770-1300</i>	
DATE <i>2-6-17</i>				SIGNATURE OF ATTORNEY <i>Hector E. Romero</i>			